

AO 91 (Rev. 11/11) Criminal Complaint

Agent:

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BPA Michael Everson

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UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Panfilo CRUZ-PEREYRA

Case No. 2:25-mj-30231

Judge: Unassigned,

Filed: 04-14-2025 At 05:01 PM

CMP USA V. PANFILO CRUZ -PEREYRA
(DA)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 10, 2025 in the county of Oakland in theEastern District of Michigan, the defendant(s) violated:

Code Section


Offense Description

Title 8, United States Code, Section 1326(a).

Unlawful Re-entry after Removal from the United States

This criminal complaint is based on these facts:

On or about April 10, 2025, in the Eastern District of Michigan, Southern Division, Panfilo CRUZ-PEREYRA, an alien from Mexico, was found in the United States after having been denied admission, excluded, deported, and removed therefrom on or about April 26, 2014, near Brownsville, Texas, and not having obtained the express consent of the Attorney General of the United States or the Secretary of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326 (a).

☒ Continued on the attached sheet.Sworn to before me and signed in my presence
and/or by reliable electronic means.Date: April 14, 2025City and state: Detroit, MI
Complainant's signatureMichael Everson, BPA

Printed name and title


Judge's signatureElizabeth A. Stafford, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Michael Everson, declare the following under penalty of perjury:

1. I am a Border Patrol Agent with the United States Department of Homeland Security, United States Border Patrol. I have been employed in this capacity since December 2011. Currently, I am assigned to the Detroit Border Patrol Station. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers to include Border Patrol Agents and record checks of law enforcement databases. I have also reviewed material from the official Immigration file and system automated data relating to Panfilo CRUZ-PEREYRA, which reveals the following:
2. CRUZ-PEREYRA is a forty-six-year-old male, native and citizen of Mexico, who last entered the United States at or near an unknown place, on or about an unknown date without being admitted, inspected, or paroled by an Immigration Officer.
3. On or about January 18, 2005, CRUZ-PEREYRA was arrested by Border Patrol Agents near Nogales, Arizona for illegal entry into the United States. He was granted a Voluntary Return back to Mexico the same date.
4. On or about August 28, 2010, CRUZ-PEREYRA was arrested by Melbourne Police in Florida and charged with Driving Under the Influence (DUI) and Driving without a License. On or about October 4, 2010, he was sentenced to one month and twenty-six days' incarceration for the DUI and fined \$500. He was also sentenced and fined \$100 for the Driving without a License charge.
5. On or about April 14, 2011, CRUZ-PEREYRA was arrested by Brevard County Sheriffs for Driving without a License and Obstruct Police Officer by giving a false name or identification. On or about May 13, 2011, he was subsequently convicted in the Brevard County Court for Driving without a License and was sentenced thirty days' incarceration.
6. On or about April 28, 2011, CRUZ-PEREYRA was arrested by Immigration and Customs Enforcement while in jail in Florida. He was issued a Notice to Appear.
7. On or about June 14, 2011, CRUZ-PEREYRA was granted a Voluntary Departure and was subsequently removed back to Mexico on June 21, 2011, through Hidalgo, Texas.

8. On or about April 25, 2014, CRUZ-PEREYRA was arrested by Border Patrol Agents near Falfurrias, Texas. He was processed for Expedited Removal. He was removed back to Mexico on April 26, 2014, through Brownsville, Texas.
9. On April 10, 2025, CRUZ-PEREYRA was encounter by Border Patrol Agents near Auburn Hills, Michigan following a request for assistance from Auburn Hills Police to help identify a subject. CRUZ-PEREYRA had been stopped by the police for improper plates, turning right on red, and driving on a suspended license. CRUZ-PEREYRA freely stated to agents that he was a citizen of Mexico without any permission to be in the United States. He was transported to the Detroit Border Patrol Station for processing. His prior order of removal was reinstated.
10. During his interview at the Border Patrol Station, CRUZ-PEREYRA claimed that he entered the United States illegally near McAllen, Texas about 12 years ago. He paid a smuggler \$8000 to help him. After crossing, he went to Florida, where he lived for about 11 years. He arrived in Michigan in May 2024. CRUZ-PEREYRA stated that he is single, with no children.
11. Panfilo CRUZ-PEREYRA's fingerprints and photograph were captured and entered into the Automated Biometric Identification System (IDENT) and the Integrated Automated Fingerprint Identification System (IAFIS). The results revealed that CRUZ-PEREYRA is a citizen of Mexico with the foregoing immigration history who has been previously removed from the United States. The record checks did not provide any evidence that CRUZ-PEREYRA legally entered the United States or had been issued any document or status that would allow him to enter or remain the United States.
12. The aforementioned arrest and subsequent detention was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.
13. Review of the Alien File (A# xxx xxx 083) for Panfilo CRUZ-PEREYRA and queries in Department of Homeland Security databases confirm no record exists of CRUZ-PEREYRA obtaining the express permission from the Attorney General or the Secretary of the Department of Homeland Security to

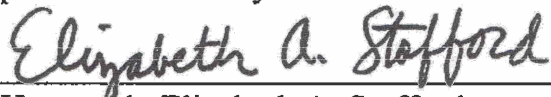
re-apply for admission to the United States following his removal on April 26, 2014.

14. Based on the above information, I believe there is probable cause to conclude that Panfilo CRUZ-PEREYRA, is an alien who was found in the United States after removal, without the express permission from the Attorney General of the United States or from the Secretary of the Department of Homeland Security to re-apply for admission into the United States in violation of Title 8, United States Code, Section 1326(a).



Michael Everson, Border Patrol Agent
U.S. Department of Homeland Security

Sworn to before me and signed in my
presence and/or by reliable electronic means.



Honorable Elizabeth A. Stafford
United States Magistrate Judge